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By U.S. Mail

Mr. John Martin
Assistant Administrator
Diversion Control Division
U.S. Drug Enforcement Administration
8701 Morrisette Drive
Springfield, VA 22152

Dear Assistant Administrator Martin:

I am writing to request a meeting to discuss how AmerisourceBergen Drug Corporation's ("ABDC") Order Monitoring Program ("OMP") can better serve the diversion control objectives of the Drug Enforcement Administration ("DEA") and combat the opioid crisis. ABDC is committed to the safe and efficient delivery of medications to meet legitimate patient needs across the United States. This commitment alone, however, cannot stop the spread of the opioid crisis.

Acting Administrator Patterson testified before the Subcommittee on Oversight and Investigations of the House Committee on Energy and Commerce in March that the DEA needed to work with industry in order to combat the opioid crisis. This message was echoed by Steven Collis, Chief Executive Officer of AmerisourceBergen Corporation, who testified two weeks ago that it is imperative that the DEA work with all stakeholders in the supply chain in a cooperative and collaborative manner and that DEA provide specificity, clarity, and guidance to industry.

Since at least the 1980s, ABDC and its predecessors have had systems in place to identify and report suspicious orders of controlled substances to the appropriate governmental agencies in compliance with federal and state law. ABDC's OMP has continually evolved over the years based on input from various stakeholders, especially DEA.

Compliance personnel from Bergen Brunswig Drug Company ("BBDC") worked closely with DEA in 1998 to develop a system of suspicious order reporting that would not only discharge BBDC's obligations under the Controlled Substances Act, but serve as a better tool for DEA to detect diversion. Over the course of many months, DEA field offices across the country beta tested the enhanced BBDC program, ultimately resulting in its approval and implementation in July of 1998. Following the merger in 2001 of BBDC and Amerisource, the BBDC system of suspicious order reporting continued to be used by ABDC until 2007, when ABDC again worked with DEA to further enhance its OMP. Following the implementation of the enhanced

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program, and at DEA's invitation, ABDC personnel presented at DEA industry conferences in 2007 and 2009 regarding the steps required to report suspicious orders.

It is as part of this legacy of cooperation and collaboration that I write to you today. After a thoughtful process that began in 2014, ABDC again refined its OMP algorithms in 2015 with the goal of more precisely identifying and reporting suspicious orders to DEA. ABDC presented this approach to DEA in 2015 and implemented this refined OMP nationwide in 2016. As we have been more precise in our reporting, the volume of orders reported to DEA as suspicious has declined. We learned recently that other industry registrants have taken a different approach and their volume of orders reported as suspicious has significantly increased. We are also mindful of the District of Columbia Circuit's decision in *Masters Pharmaceuticals, Inc. v. Drug Enforcement Administration*, 861 F.3d 206 (D.C. Cir. 2017), which contemplates alternative approaches to the reporting of suspicious orders.

With two complete years of data behind ABDC's 2015 enhancements to the OMP, we feel that now is an appropriate time to meet with the DEA to review the results of these enhancements in more detail. For purposes of this initial meeting the agenda is simple – determine the suspicious order reporting approach which best serves the diversion control objectives of the DEA.

ABDC appreciates the DEA's consideration of this meeting request. If you have any questions or would like to discuss this request in further detail, please feel free to contact me at DMay@amerisourcebergen.com or by calling 910-986-5061. Thank you for your time and consideration of this request.

Sincerely,

A handwritten signature in black ink, appearing to be 'DMay', written over a horizontal line.